

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

MARIA GONZALEZ,

Plaintiff,

v.

CASE NO. 8:19-cv-2172-T-23JRK

ANDREW M. SAUL,
Commissioner of Social Security

Defendant.

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ORDER

An August 3, 2020 report (Doc. 27) by the magistrate judge recommends affirming the commissioner's denial of Maria Gonzalez's petition for disability benefits. Gonzalez asserts (Doc. 28) three objections to the report, and the commissioner responds (Doc. 29). The objections lack merit for the reasons articulated in the report, but one objection warrants additional discussion.

In the third objection, Gonzalez argues for reversal because she alleges the ALJ incorrectly finds her able to perform her past work as a store laborer. Part of this alleged error stems from the putative failure of the ALJ to resolve "the apparent conflict" between the plaintiff's residual, functional capacity and the job as performed. Suggesting her hand condition severely impairs her performance of light job tasks, Gonzalez contests the ALJ's finding that she can handle items frequently.

Gonzalez's argument fails because substantial evidence supports the commissioner's decision. The full record shows treatment (Tr. 36) of plaintiff's carpal tunnel syndrome, work history (Tr. 248-9) demanding minimal handling, testimony (Tr. 55-56) about plaintiff's current job that involves only some handling and lifting, and an examination (Tr. 68-73) by a vocational expert explaining that Gonzalez's work as a store laborer is light as performed. This evidence supports the commissioner's finding that Gonzalez maintains the handling capacity to work as a store laborer in the position she now holds. *Holder v. Soc. Sec. Admin.*, 771 F. App'x 896, 899-900 (11th Cir. 2019) (finding no error because the claimant's work history, testimony, and vocational-expert evaluation combine to "paint a full picture" of pertinent work that meets the substantial evidence standard).

The magistrate judge's report is well-reasoned, supported by record evidence, and compelled by the governing authority. The magistrate judge's report and recommendation (Doc. 27) is **ADOPTED**, and the commissioner's decision is **AFFIRMED**. The clerk is directed to enter judgment in favor of the defendant, to terminate pending motions, and to close the case.

ORDERED in Tampa, Florida, on August 31, 2020.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE